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5 Attorney for Defendant
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7
8 IN THE UNITED STATES DISTRICT COURT
9
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) No. CR-S-05-0174 DFL
12 Plaintiff,)
13 v.) STIPULATION AND [PROPOSED ORDER]
14 FREDERICO PIZANO,) Date: July 07, 2005
15 Defendant.) Time: 1:30 P.M.
16) Judge: Hon. David F. Levi

17 IT IS HEREBY STIPULATED by and between the parties hereto through
18 their respective counsel, RICK BENDER, Assistant United States
19 Attorney, attorney for Plaintiff, LINDA HARTER, Assistant Federal
20 Defender, attorney for defendant, that the current Status Conference
21 date of June 23, 2005 be vacated and a new Status Conference date of
22 July 07, 2005 at 1:30 p.m. be set.

23 Defense counsel has not received a written plea offer in this
24 case. The parties are engaged in negotiations to resolve this case.

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It is further stipulated and agreed between the parties that the period beginning June 23, 2005 to July 07, 2005, should be excluded in computing the time within which the trial of the above criminal prosecution must commence for purposes of the Speedy Trial Act for defense preparation. All parties stipulate and agree that this is an appropriate exclusion of time within the meaning of Title 18, United States Code, Section 3161(h)(8)(iv) (Local Code T4) and that the ends of justice to be served by a continuance outweigh the best interests of the public and the defendant in a speedy trial.

Dated: June 22, 2005

Respectfully submitted,

QUIN DENVER
Federal Defender

/S/LINDA HARTER
LINDA HARTER
Assistant Federal Defender
Attorney for Defendant
FREDERICO PIZANO

MCGREGOR W. SCOTT
United States Attorney

Dated: June 22, 2005

BY: /S/RICK BENDER
RICK BENDER
Assistant U.S. Attorney

ORDER

Based on the parties' stipulation and good cause appearing therefrom, the Court hereby adopts the stipulation of the parties in its entirety as its order. The Court specifically finds that the ends of justice served by the granting of such continuance outweigh the interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

DATED: 6/22/2005

DAVID F. LEVI
United States District Judge

Stipulation and order/Frederico Pizano/Cr-S-05-174 DFL